## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

:

v. : Case No. 3:12-cr-20-KRG-KAP-11

JOAN JANICK, : Case No. 3:16-cv-194-KRG-KAP

Movant

## Memorandum Order

Movant's pro se motion to vacate under 28 U.S.C.§ 2255, ECF no. 986, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C.§ 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on October 20, 2017, ECF no. 1017, recommending that the motion be denied.

The parties were notified at their last address that pursuant to 28 U.S.C.§ 636(b)(1) they had fourteen days to file written objections to the Report and Recommendation. Movant's notice was returned for lack of forwarding address and movant has not contacted the Clerk with a new address.

After review of the record of this matter and the Report and Recommendation under the "reasoned consideration" standard, see EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir.2017) (standard of review when no timely and specific objections are filed), the following order is entered:

AND NOW, this  $\frac{27+n}{2}$  day of November, 2018, it is

ORDERED that movant's motion to vacate, ECF no. 986, is denied without a certificate of appealability as recommended in the Report and Recommendation at ECF no. 1017, which is adopted as the opinion of the Court. The Clerk shall mark the civil matter closed.

BY THE COURT:

KIM R. GIBSON,

UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF